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Letter dated 22 December 2017 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council

The members of the Group of Experts on the Democratic Republic of the Congo, the mandate of which was extended pursuant to Security Council resolution 2360 (2017), have the honour to transmit herewith, in accordance with paragraph 6 of the resolution, the midterm report on their work.

The report was provided to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo on 28 November 2017 and was considered by the Committee on 11 December 2017.

The Group would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

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Midterm report of the Group of Experts on the Democratic Republic of the Congo

Summary

Since the issuance of the previous report of the Group of Experts on 16 August 2017 (S/2017/672/Rev.1), the overall security situation in the Democratic Republic of the Congo has remained volatile. While the level of violence in the Kasai provinces has declined, instability remains. The Group noted an increased activity of armed groups in the Kivu provinces. The political situation remained tense owing the failure to organize the general elections that had initially been scheduled for 2016. The recent publication of a new calendar for the elections has not appeased tensions between the Government and some opposition groups.

While still presenting a threat, the Forces démocratiques de libération du Rwanda (FDLR) continued to be weakened. FDLR maintained alliances with Congolese armed groups and continued to generate revenues by selling charcoal and wooden planks produced inside Virunga National Park. The Group also observed a continued decline of the Conseil national pour le renouveau et la démocratie (CNRD). CNRD clashes with FDLR have decreased, even though CNRD has been involved in several incidents with local armed groups.

The Allied Democratic Forces continued to recruit from Uganda. The Group documented instances of recruitment similar to those in its previous findings.

Local armed groups cited in the present report continued to represent a major threat to security. The Group received information that some local armed groups were coalescing into larger groups and that, in general, such groups had increased their areas of control and generated income through the taxation of local population and kidnapping for ransom.

Regarding the exploitation of natural resources, the Group documented the attempted smuggling of tin, tantalum and tungsten involving an officer from the Forces armées de la République démocratique du Congo, as well as breaches of the tin, tantalum and tungsten mineral traceability system. While the Government of the Democratic Republic of the Congo reported that it had taken action in relation to the disappearance of 50 International Conference on the Great Lakes Region export certificates from its national stock, it has yet to provide information on the whereabouts of most of the certificates.

The Group documented a lack of communication on the implementation of the asset freeze between the Banque centrale du Congo and banks operating in the Democratic Republic of the Congo.

Serious violations of human rights and international humanitarian law remained widespread in the Democratic Republic of the Congo. In Beni and Lubero territories, the Group documented attacks against peacekeepers, which are sanctionable acts under paragraph 3 of Security Council resolution 2360 (2017). The Group found that gang rapes constituted a component of the conflict between the Bantu and Twa communities in Tanganyika Province. The Group also noted that six persons suspected in the murder of two members of the Group, Zaida Catalán and Michael Sharp, in March 2017 remained at large. The Group remains concerned that the security of current members of the Group remains at risk as long as all those suspected in the murder are not investigated and brought to justice for the brutal killing of its former colleagues.

The Group documented instances of arms embargo violations, focusing on arms transfer networks from Burundi to armed groups in the Ruzizi Plain. The Group also found that the diversion of weapons from the national security forces to armed groups continued.

The Group has included in the present report proposals to improve cooperation between the Democratic Republic of the Congo, other States members of the International Conference on the Great Lakes Region and the United Arab Emirates to combat gold smuggling from member States of the International Conference to Dubai. On the basis of its findings, the Group also recommends that the Government of the Democratic Republic of the Congo improve the security of its armouries, ensure that banks implement United Nations sanctions and investigate and prosecute the perpetrators of gang rapes in Tanganyika Province.

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* The annexes are being circulated in the language of submission only and without formal editing

I. Introduction

1. From 16 to 19 October 2017, the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, Amr Abdellatif Aboulatta (Egypt), visited the Democratic Republic of the Congo, the Republic of the Congo and the United Arab Emirates. The Group of Experts on the Democratic Republic of the Congo notes with appreciation the support provided to its work by the Chair during that visit and the Chair's visit in August 2016.

2. In accordance with the request made by the Security Council in paragraph 8 of its resolution 2360 (2017), the Group continued to exchange information with the Panel of Experts on the Central African Republic.

Cooperation with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

3. The Group expresses its gratitude for the valuable support and collaboration of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) during the period under review.

Compliance with the Group's requests for information

4. Following its appointment by the Secretary-General on 4 August 2017 (see S/2017/683), the Group addressed 14 official communications to Member States, international organizations and private entities during the first part of its mandate. In its final report, the Group intends to provide a full accounting of the replies received.

Methodology

5. The Group used the evidentiary standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997). The Group based its findings on documents and, wherever possible, on first-hand on-site observations by the experts themselves. When this was not possible, the Group corroborated information by using at least three independent and reliable sources.

6. Given the nature of the conflict in the Democratic Republic of the Congo, there are few documents that provide definitive proof of arms transfers, recruitment, command responsibility for grave abuses of human rights and the illegal exploitation of natural resources. The Group has therefore relied on eyewitness testimony from members of local communities, former combatants and current members of armed groups. The Group has also considered the expert testimony of government officials and military officers from the Great Lakes region and United Nations sources.

7. The present report covers investigations up to 10 November 2017. Investigations relevant to the Group's mandate that were conducted thereafter will be reflected in the final report.

Attacks against peacekeepers

8. The Group notes with concern attacks by armed elements against peacekeepers. At least three separate attacks in September and October 2017 in Beni and Lubero territories left two peacekeepers dead and two injured. The Group recalls that planning, directing, sponsoring or participating in attacks against peacekeepers or United Nations personnel, including members of the Group of Experts, are sanctionable acts under paragraph 3 of resolution 2360 (2017). The Group will

continue its investigations into the perpetrators of those attacks and present its findings in its final report.

Implementation of the Group's recommendations from its previous report

9. In its report of August 2017, the Group made four recommendations to the Government of the Democratic Republic of the Congo and two recommendations to the Security Council (see S/2017/672/Rev.1, paras. 181 and 182). The Group notes that, in pursuance of one of its recommendations, the Banque centrale du Congo has initiated a process with international and regional organizations to harmonize the country's legal framework and financial practices with international and regional anti-money-laundering standards and define an action plan on sanctions compliance.

10. Nevertheless, the Group is concerned that the Government of the Democratic Republic of the Congo has not addressed most of the recommendations made in its previous report. In October 2017, during a meeting with the Group, a senior government official questioned the relevance of the recommendations as well the authority of the Security Council to advise the Government.

11. The Group welcomes the statement by the President of the Security Council of 7 November 2017 (S/PRST/2017/23) on the situation in the Democratic Republic of the Congo, which echoed a number of the Group's recommendations mentioned above. However, the Group notes that its recommendation for the establishment of an independent international investigation into the murder of Zaida Catalán and Michael Sharp was not considered. Nevertheless, the Group intends to work closely with the team appointed by the Secretary-General to assist with the national investigation into the killing of the two experts and the four Congolese nationals accompanying them, as set out in the Secretary-General's letter to the President of the Security Council dated 31 October 2017 (S/2017/917).

12. Following the statement by the President of the Security Council, the Group commenced working with the Organization for Economic Cooperation and Development and the International Civil Aviation Organization on concrete guidelines to assist airlines in their efforts to prevent the transport of gold smuggled from the Democratic Republic of the Congo in cabin luggage. The Group intends to consult a larger number of relevant stakeholders and submit its proposed guidelines in its final report.

II. Armed groups

A. Forces démocratiques de libération du Rwanda

13. The Group continued its investigations into the activities of the Forces démocratiques de libération du Rwanda (FDLR) (CDe.005),[1] a sanctioned entity active in the Democratic Republic of the Congo since 2000. Weakened in 2016 by Sukola II operations led by the Forces armées de la République démocratique du Congo (FARDC) (see S/2016/466, paras. 10–15) and the breakaway of the Conseil national pour le renouveau et la démocratie (CNRD) (see S/2016/1102, paras. 10–13), FDLR continued to decline owing to defections and the almost complete lack of any new recruitment. However, the armed group has maintained alliances with Congolese armed groups and generated revenues by selling locally charcoal and wooden planks, which are mainly produced inside Virunga National Park.

[1] Unless otherwise specified, "Forces democratiques de liberation du Rwanda" (FDLR) refers to FDLR-Forces combattantes abacunguzi, as opposed to any other splinter groups, such as the Rassemblement pour l'unité et la démocratie or FDLR-Soki.

Ongoing operations and defections

14. On 27 September 2017, MONUSCO and FARDC launched the joint military operation "Phoenix Rising" against FDLR south of Nyanzale, in Rutshuru territory. The operation pushed many FDLR combatants into Virunga National Park. It is unclear whether it resulted in defections from the armed group, but the Group noted that a large number of combatants surrendered after the operation began. In late September 2017, 52 FDLR combatants and dependants surrendered to MONUSCO and were repatriated to Rwanda on 3 October 2017. The Group requested permission from the Government of Rwanda to interview the returnees but has yet to receive a response.

Organization and use of children

15. FDLR is mainly present in Bwito chefferie, Rutshuru territory, where Sylvestre Mudacumura (CDi.012) (also known as Bernard Mupenzi), an FDLR commander, is based. Gaston Iyamuremye (CDi.003) (also known as Byiringiro Victor Rumuli, Victor Rumuri, Michel Byiringiro, Victor Byiringiro and Rumuli), the FDLR political commissar and Mr. Mudacumura's deputy, is stationed in the area south-east of the town of Mweso and north-west of the Nyamulagira volcano. The Group has received estimates ranging from 400 to 600 for the number of FDLR combatants, who reportedly include children.

16. The Group spoke to a 15-year-old Congolese boy who claimed to have been part of an FDLR unit for more than two years. He stated that there were two other Congolese children in his group. Three other former FDLR combatants, two of whom were Rwandan, stated that there were Congolese children in their respective FDLR units. At least one such group led by a Captain Acize and located in the vicinity of the Nyamulagira volcano had five Congolese children in its ranks. The recruitment and use of children in armed conflict in the Democratic Republic of the Congo is a sanctionable act under paragraph 7 (d) of Security Council resolution 2293 (2016), as reaffirmed in paragraph 2 of resolution 2360 (2017).

Local interactions

17. The Group observed that FDLR had continued to collaborate with local armed groups[1] and civilian populations, as previously reported (see S/2017/672/Rev.1, paras. 16 and 17) and confirmed by interviews with four former combatants in October 2017. FDLR units continued to conduct operations with Nyatura Domi and Groupe de securite led by Kasongo Kalamo. Mr. Kalamo's group, situated near Mweso, in Masisi territory, attacked CNRD positions in October 2017. A former FDLR combatant described having been captured by Mr. Kalamo's group at the end of September 2017 and threatened with death on suspicion of being CNRD. He was released only after hours of interrogations and after having substantiated his FDLR affiliation with Kasongo personally.

18. Apart from collaborating with local armed groups, FDLR commanders use Congolese nationals to generate income. Two young Congolese men described to the Group how they manned checkpoints in the south-west of Virunga National Park. In those posts, they taxed the local population for access to their own land. A third man described selling livestock on behalf of an FDLR group, which yielded $50 a week. The money was paid to the FDLR group commander. Other Congolese nationals were also involved in various types of small commerce on behalf of FDLR commanders.

[1] In the present report, "local armed groups" refers to Mai-Mai or Nyatura factions.

Such activities included selling used clothes and charcoal, as well as providing FDLR groups with weekly income.

External support

19. The Group had previously reported how the websites intabaza.com, umucunguzi.com (Radio Umucunguzi), urugaga.org and rwacu.org (the Rwandan cultural society or RCS) promoted the ideology and the activities of FDLR and provided opportunities for fundraising via the PayPal account of RCS. The Group found that those websites were hosted in the Netherlands and registered by Ignace Ntirushwamaboko (also known as Darius "Sunray" Murinzi), an individual residing in Canada. Mr. Ntirushwamaboko is the North American representative of the Front commun pour la liberation du Rwanda, a coalition to which FDLR belongs (see S/2017/672/Rev.1, paras. 24 and 25, and annex 13).

20. The Government of the Netherlands informed the Group in writing that its judicial authorities had opened an investigation into the matter, noting, however, that it was not allowed to share any additional information regarding the investigation at the current stage.

21. The Government of Canada informed the Group that it had transmitted the Group's request for information to the Royal Canadian Mounted Police, which is responsible for investigating possible violations of sanctions legislation and regulations. The Government also informed the Group that it could not order Canadian banks to disclose financial information about Mr. Ntirushwamaboko, as he was not a sanctioned individual to whom reporting obligations would apply.

22. The Group transmitted a new request for information to the PayPal company but had not received a response at the time of reporting.

B. Conseil national pour le renouveau et la démocratie

23. The Conseil national pour le renouveau et la démocratie (CNRD) is a foreign armed group operating in the Kivu provinces since its split from FDLR in May 2016 (see S/2016/1102, para. 23, and S/2017/672/Rev.1, paras. 33–36). The Group investigated the presence of CNRD in North Kivu and observed a continued weakening of the group owing to ongoing defections and difficulties in recruiting new combatants. The Group noted several clashes with local armed groups and observed a decrease in fighting between CNRD and FDLR, which marked a change in the behaviour reported previously (see S/2017/672/Rev.1, para. 19).

Leadership, location and recruitment

24. The overall leader of CNRD remained "Colonel" Laurent Ndagijimana (also known as Lumbago or Wilson Irategeka). The military commander of the North Kivu section was "Colonel" Antoine Hakizimana (also known as Colonel Jeva). CNRD headquarters are situated in Faringa, a hilltop in Bwito chefferie, and its units are located in the hills west of Nyanzalé, north of Mweso, south of Kikuku and east of Mpati (see annex 1).

25. Most CNRD troops were divided into five sectors with approximately 50 combatants each. From testimonies of former combatants, the Group estimates the actual strength of the North Kivu section of CNRD to be around 250 to 300 combatants. The recruitment of new combatants declined during the period under review. Seven former combatants told the Group that no training of recruits had taken place since April 2017. The Group was informed that a few Congolese elements had also joined CNRD, primarily in search of economic opportunities.

26. CNRD continued to generate income through the production of charcoal and wooden planks. The armed group did not tax the local population as systematically as other groups in the region (see paras. 63-72 below).

Incidents between the Conseil national pour le renouveau et la démocratie and other armed groups

27. The Group had previously reported the resumption of fighting between FDLR and CNRD in April 2017 (see S/2017/672/Rev.1, para. 19). These clashes were short-lived. Since May 2017, no fighting has been reported between the two groups. Four former combatants told the Group that CNRD avoided clashes with FDLR and withdrew before confrontations could occur. At the same time, relations between the two groups remained tense, and all the former CNRD members who were interviewed stated that they would be killed if they returned to FDLR.

28. In October 2017, CNRD clashed with the armed groups Nyatura Kasongo and Nyatura Jean-Marie in the Kashuga-Mpati region. The fighting resulted in the deaths of several civilians and the displacement of the local population. The same month, CNRD also clashed with the Nduma défense du Congo-Renové (NDC-R) in the north of its area of control.

C. Continuous recruitment by the Allied Democratic Forces

29. The Group found that the Allied Democratic Forces (ADF) had continued to use deception and false promises to lure poor young people from Uganda into the eastern Democratic Republic of the Congo, where they were forced to join the armed group.

30. The Group interviewed two Ugandan men who had been approached by a recruiter, who was later arrested in Uganda, with promises of a scholarship and the opportunity to manage a farm in Butembo, in North Kivu Province. The two had been stopped in July 2017 at the Congolese-Ugandan border as they were attempting to cross with fake Congolese electoral cards provided by the recruiter. Their stories were similar to those of four other Ugandans interviewed by the Group who had been similarly misled by ADF recruiters. One recruit had remained with ADF for close to three years, while the other three had stayed for short periods, ranging from a few hours to a few days. The Group notes that this is consistent with previous findings (see S/2015/19, paras. 16–24, and S/2016/1102, para. 40).

D. Local armed groups in North Kivu Province

31. The Group investigated the activities of local armed groups in Rutshuru and Lubero territories, observing a general increase in the areas that those armed groups controlled (see annex 1).

Nyatura John Love

32. The Group confirmed that, as previously reported (see S/2016/1102, paras. 48–50), Muhawenimana Bunombe (also known as "Colonel" John Love) remained the leader of a group of Nyatura combatants. John Love told the Group that he was under the command of Ndaruhutse Kamanzi (also known as "General" Domi) and that they were part of a larger armed group called Collectif des mouvements pour le changement (see annex 2).

33. The armed group Nyatura John Love operates fairly autonomously in its zone of control, which is situated between the villages of Nyanzale, Ngoroba and Kikuku in Bwito chefferie. Its leader controls approximately 200 combatants spread over two

units under the command of "Major" Ping and "Major" Ndabitegereshe. Approximately half of the combatants are equipped with AK-47-type rifles. Five combatants and officers told the Group that they had obtained most of their ammunition from local FARDC soldiers in exchange for food or money.

34. In addition to attacking FARDC, Nyatura John Love clashed with Mai-Mai Mazembe.[1] From early September 2017, the two armed groups engaged in killing civilians and burning houses in each other's area of control. The attacks intensified in the second half of October 2017 when Mai-Mai Mazembe killed three civilians in Bambo. In retaliation, Nyatura John Love burned dozens of houses in Kishishi and, in turn, Mai-Mai Mazembe burned houses in Kikuku. This prompted new attacks on Mirangi, Kikuku and Katolo by Nyatura, which caused the displacement of the population.

Mai-Mai Mazembe

35. The Group investigated a faction of Mai-Mai Mazembe that maintains a significant area of influence in Bwito and Bamate chefferies and is led by "General" Muhindo Kitete Bushu. From 2015 to May 2017, Mai-Mai Mazembe fought alongside NDC-R against FDLR. However, current and former combatants said that the two armed groups fell out following a dispute in May 2017 between Kitete and "General" Guidon Shimiray Mwissa, the leader of NDC-R. An NDC-R attack in July 2017 forced Kitete to move his headquarters from Kiambuli to Butolera.

36. Several combatants told the Group that Kitete recruited combatants among the local Nande population, who often received rudimentary military training and were hurriedly deployed to fight other armed groups. Most of their weaponry was acquired in the aftermath of clashes with FDLR, yet ammunition was chronically in short supply. Two former combatants informed the Group that the spouses of FARDC soldiers sold ammunition to Mai-Mai Mazembe.

37. During the reporting period, Kitete's men clashed with Nyatura John Love near Bwalanda, in Nyanzalé, and NDC-R in Miriki. The Miriki region has become hotly contested, with the two groups frequently clashing to assume control of taxation of the local population (see para. 69 below), causing internal displacement and ongoing strife. Attacks north of Nyanzalé have also caused displacement. For example, on 4 October 2017, the Group witnessed the arrival of 30 families from Somikivu (north-west of Nyanzalé) to Kihondo, near Nyanzalé, following threats by Kitete against the local communities.

Mai-Mai Charles/Mai-Mai Jackson

38. During the period under review, the Group investigated the Alliance des forces armées de résistants patriotes Mai-Mai, also known as Mai-Mai Charles. The armed group is named after its leader Charles "Bokande" Mwandibwa and is based in Bwisha chefferie, Rutshuru territory. Mai-Mai Charles is one of the largest Mai-Mai groups in the region and is known to carry out attacks against FARDC soldiers and impose taxes on local farmers and fishermen.

39. Mai-Mai Charles started with an estimated 40 men in late 2014, growing to 150 elements by mid-2015 (see S/2016/466, para. 82). Sources reported that, by mid-2017, Mai-Mai Charles armed elements numbered close to 300. The majority of its members carry weapons including AK-47-type rifles, PKM machine guns, rocket-propelled grenades (RPG-7) and at least one 60 mm mortar.

[1] Unless otherwise specified, "Mai-Mai Mazembe" refers to the faction led by "General" Muhindo Kitete Bushu.

40. The current movement inherited some combatants from previous Mai-Mai groups in the region, notably Mai-Mai Shetani. A former prominent Mai-Mai leader and a colonel in FARDC, Jackson Muhukambuto Paluku, deserted his army post and joined Bokande in February 2017. This prompted some former combatants to refer to the group as Mai-Mai Jackson.

41. Separated in a few mobile units, the group is deployed in the Binza groupment in Rutshuru. Most units operate inside Virunga National Park, to the south of Lake Edward, with a small presence in Chanika, south-west of the lake, in Lubero territory. Former combatants stated that Kafunzo was considered as the group's headquarters. Other positions include Tshondo, Kamuroro-Birwa and other areas around Nyakakoma on the south-eastern shore of Lake Edward, west of the Ugandan border.

42. Colonel Jackson's arrival prompted a reorganization of the group. Four former combatants reported a division of labour between the armed elements and the civil administration, with the latter focusing entirely on the collection of taxes and the management of the funds thus levied. They also reported punishments being carried out for insubordination and indiscipline.

43. As previously reported, commanders Bokande and Jetaime Masimbi have been reported as having recruited children (see S/2016/466, para. 82). Three former combatants told the Group that the recruitment of children had significantly declined around March 2017, after Colonel Jackson's arrival. One stated that at least one child, who reportedly carried the group's "dawa",[4] remained in the group.

44. Three former Mai-Mai Charles members stated that Colonel Jackson was in favour of conducting attacks against FARDC, which the armed group had not done before the Colonel assumed command. An FARDC senior officer based in Rutshuru told the Group that Colonel Jackson, whom he had known personally during their time in FARDC, had attacked FARDC positions in Ishasha, Nyamilima and Vitshumbi in 2017. A Mai-Mai Charles attack against FARDC on 14 August 2017 in Buholu, near Lake Edward, in Rutshuru, caused the death of more than 35 soldiers.

45. Bokande has continued to publicly propagate a pro-Nande, anti-Rwanda stance and managed to control natural resources in parts of Virunga National Park as well as taxation on illegal fishing in Lake Edward (see para. 70 below).

III. Natural resources and finance

A. Tin, tantalum and tungsten

46. The Group documented two cases of breach of the mineral supply chain in the mining areas around Rubaya. Those incidents were also reported via the ITRI Tin Supply Chain Initiative, the only operational due diligence system for tin, tantalum and tungsten in the Democratic Republic of the Congo.

47. On 2 August 2017, an FARDC major serving in the Commission nationale de lutte contre la fraude minière (National Commission against Mining Fraud), was arrested at a checkpoint roadblock in Sake with 580 kg of untagged coltan in a Land Cruiser bearing licence plate number 7858AC19. The untagged minerals had been hidden inside the vehicle in bays created between the lower plank and the chassis, similar to those used by other smugglers (see S/2017/762/Rev.1, para. 86) (see annex 3). The minerals were contained in bags commonly used for the transport of legal minerals from Rubaya (see annex 4). The Group will continue to investigate

[4] The potion which is purported to render combatants invincible.

whether that was an isolated case or part of a wider smuggling network and will keep the Committee informed.

48. On 4 October 2017, 50 to 70 elements of the armed group Nyatura under "General" Delta Kashamare stormed Rubaya without meeting any resistance from the local Congolese national police. They spent the night in town before being chased away the following day by an FARDC intervention. The Group intends to report further on whether Nyatura had any legal claim related to mining operations in Rubaya.

49. Mining authorities in North Kivu told the Group that, following the incident in Rubaya, they were exploring mitigation mechanisms to prevent such incursions in future. The Group notes that the presence of armed groups in mining sites constitutes a major breach of the traceability chain as well as a violation of resolution 2360 (2017). The Group sent a request to ITRI, which manages the Tin Supply Chain Initiative, to obtain clarification on the aforementioned incidents and it looks forward to receiving a reply.

B. Gold

50. This section is an update of previous investigations by the Group into the use of stolen International Conference on the Great Lakes Region certificates to export gold from the Democratic Republic of the Congo. The Group also explores herein areas for improved cooperation between the Democratic Republic of the Congo and the United Arab Emirates to combat illegal trade in gold.

Misuse of International Conference on the Great Lakes Region export certificates

51. The Group had previously reported the disappearance of 50 International Conference on the Great Lakes Region certificates from the national stock of the Democratic Republic of the Congo (see S/2017/672/Rev.1, paras. 113-117). Subsequently, the Group received a report from the Government of the Democratic Republic of the Congo acknowledging the disappearance and describing efforts to address the issue.

52. A Government official expressed the view that the Government had improved the security measures at the premises where the certificates were stored. The Government also provided the Group with copies of arrest warrants issued against staff of the Centre d'évaluation, d'expertise et de certification des substances minérales précieuses et semi-précieuses (Centre for the Evaluation, Appraisal and Certification of Precious and Semi-Precious Mineral Substances), the national entity in charge of the management of the certificates.

53. The Government also informed the Group that it had filed a complaint against Kambala Kasuyi Kennedy, a businessman suspected of being the main exporter of gold. Mr. Kambala had used one of the stolen certificates, which bore reference CD00007976 (see S/2017/672/Rev.1, para. 114).

54. The Group welcomes the actions taken so far by the Government but notes that the Government has failed to explain what has happened to the other 49 missing certificates. The Group is not aware of any initiatives by the Government to inform international buyers about the stolen certificates. The Group remains concerned that the certificates may have been or could be used to export gold illegally.

55. The Committee also forwarded to the Group a separate report from the Government of the Democratic Republic of the Congo, in which it was alleged that MONUSCO staff had forged and sold gold export certificates. The Group obtained two such certificates: one from the Government of the Democratic Republic of the

Congo and the other from a second source. Following investigations into the matter, the Group believes that the certificates were fraudulent.

56. The certificates contained what appear to be obvious errors. They bore the name of "Mrs. Margaret Ogata", who allegedly worked for MONUSCO. In response to the Group's query for further information, MONUSCO stated that no such person had ever worked for the Mission. MONUSCO informed the Group that the second alleged staff member, "Gen. Chander PR Kash", whose name appeared on the second certificate, could probably refer to Lieutenant General Chander Prakash, who served from 2010 to 2013 as the Mission's Force Commander. The Group notes that the signature attributed to "Gen. Chander" on the certificate was different from that used by Lieutenant General Chander during his tenure as Force Commander (see annex 5).

Gold smuggled from the Democratic Republic of the Congo to Dubai

57. Civil society organizations, mining administration in the Democratic Republic of the Congo and gold traders from Butembo, Bukavu and Uvira told the Group that a large part of gold artisanally sourced in the country continued to be smuggled to Dubai, United Arab Emirates.

58. As previously reported (see S/2015/19, para. 210, S/2016/466, para. 166, and S/2017/672/Rev.1, para. 131), loopholes in the control system in Dubai facilitate the smuggling of gold from the Democratic Republic of the Congo. For example, in October 2017, the Group interviewed two witnesses who had seen smugglers carrying gold from the Democratic Republic of the Congo pass through Dubai airport using export documents misrepresenting the origin of their gold. During a meeting in Dubai on 20 October 2017 (as part of the Committee Chair's visit), officials of the United Arab Emirates informed the Group that they had encountered difficulties authenticating documentation used to export gold from States members of the International Conference on the Great Lakes Region to Dubai.

Areas of improvement for cooperation between the United Arab Emirates and member States of the International Conference on the Great Lakes Region

59. The Group has underlined the need to improve cooperation among the secretariat of the International Conference on the Great Lakes Region, the Democratic Republic of the Congo and the United Arab Emirates with a view to combatting gold smuggling (see S/2017/672/Rev.1, para. 132). During the aforementioned meeting of 20 October, the authorities of the United Arab Emirates requested proposals from the Group on how such cooperation could be materialized.

60. The Democratic Republic of the Congo and other member States of the International Conference on the Great Lakes Region already have legislation that lists the requirements, including the necessary documents, for the export of gold. The Group notes that the authorities of the United Arab Emirates were not always aware of such requirements and documents. The Group also notes that the United Arab Emirates and the 12 member States of the International Conference on the Great Lakes Region[*] should systematically know what those requirements and documents are. The appointment of national focal points in the United Arab Emirates, the member States of the Conference and the secretariat of the Conference with the mandate to inform each party of the status of relevant legislation could facilitate the exchange of information.

61. The United Arab Emirates and the member States of the International Conference on the Great Lakes Region should also develop a joint system for

[*] Angola, Burundi, Central African Republic, Congo, Democratic Republic of the Congo, Kenya, Rwanda, South Sudan, Sudan, Uganda, United Republic of Tanzania and Zambia.

authenticating the International Conference on the Great Lakes Region certificates required to export gold from the Democratic Republic of the Congo. Customs agents in Dubai and the other emirates should be able to readily contact a focal point in any of the 12 member States of the International Conference on the Great Lakes Region to check whether confidential information on a certificate is genuine.

62. The Group is also of the view that the United Arab Emirates should make any sale of gold by traders based in the Democratic Republic of the Congo and other member States of the International Conference on the Great Lakes Region to Dubai-based traders conditional upon the seller being authorized as an official International Conference on the Great Lakes Region exporter. In coordination with countries from the region, the authorities could create and maintain a database of official exporters (also known as "comptoirs" in the Democratic Republic of the Congo), together with a list of individuals officially employed by licensed exporters for the individual transport of gold.

C. Illegal taxation by armed groups

63. The Group had previously reported that FDLR and Nyatura groups levied money and in-kind taxes on populations in areas under their control (see S/2017/672/Rev.1, para. 22). The Group's current investigations in Bwito-Bwisha, Bashali and Bamate chefferies have revealed that illegal taxation generates revenues for every armed group active in the region. Armed groups deliver tokens, locally called "jetons", to the population as proof of payment of taxes (see annex 6).

Nyatura groups

64. The Group observed that Nyatura armed groups under Domi, John Love, Kasongo and Ntibi impose taxes, locally called "lala salama" (i.e., "sleep quietly") and "rengera buzima" (i.e., "protect your life"). In Rutshuru territory, those groups collect taxes between the Mweso and Nyanzalé areas. Nyatura leaders have dedicated elements who collect weekly taxes from the population. They also pressure traditional authorities or civil society representatives into collecting taxation money on their behalf (see annex 7).

65. Nyatura Kasongo imposes a "rengera buzima" tax of 2,500–3,000 Congolese francs[6] per month per household. Several sources said that Kasongo's decision to tax every adult instead of entire households had provoked popular protests in Mweso in September 2017. Some families had abandoned their homes and fields in fear of being unable to pay the tax.

66. In the Nyanzalé area, John Love and some of his tax collectors informed the Group that they had levied a tax of 1,000 Congolese francs per month on 8,000 families to allow them access to their fields, thus earning 8 million Congolese francs per month. "General" Domi taxed $6 per month per cow grazing in the lands that he controlled and also imposed a tax of $5 per harvest per family (there are three to four harvests a year) to allow farming.

67. Nyatura groups sent written requests to the population demanding the payment of taxes. For example, on 9 September and 2 October 2017, Nyatura Ntibi in Muhanga sent signed letters demanding from 14 landowners from the Hunde community in the area that they pay taxes to have access to their fields (see annex 8).

[6] On 18 November 2017, the official exchange rate was 1,570 Congolese francs to 1 United States dollar.

Mai-Mai groups

68. In parts of Lubero territory, Mai-Mai Mazembe taxes roughly 10,000 farmers a rate of 1,000 Congolese francs per person per month, thus earning 10 million Congolese francs per month overall. Several Mazembe tax collectors in Kanyatsi and Butalongola informed the Group that they had collected a monthly tax at roadblocks on the roads used by farmers to reach their fields, each roadblock being manned by one armed and one unarmed element. Several sources informed the Group that Mai-Mai Mazembe would arrest them if they were found without the jeton for the month and would request 11,000 Congolese francs for their release.

69. The Group estimates that the amount of taxes that Mai-Mai Mazembe collected in the Miriki area yielded on average 4 million Congolese francs per month. In July and September 2017, Mai-Mai Mazembe temporarily lost control of Miriki to NDC-R. As a consequence, the population in Miriki had to pay taxes twice, to Mazembe and to NDC-R.

70. The Group found that Mai-Mai Charles taxed fishermen involved in illegal fishing on Lake Edward to protect them from Congolese security forces and Virunga National Park rangers. A Mai-Mai Charles tax collector informed the Group that the amounts levied varied from 10,000 to 60,000 Congolese francs per week, depending on the size of the fishing boat, the ability to fish at night and the use of fishing nets. Mai-Mai Charles collected taxes from about 40 fishermen in Chanika every week, registered in a logbook maintained by their secretary, "Maj" Kakule Serge, based in Chanika. The Group estimates that this system could yield up to 9.6 million Congolese francs per month.

71. The Group documented 25 cases in September 2017 in which the armed group Mai-Mai Charles had kidnapped fishermen who had refused to pay tax and had demanded a ransom for their release. Furthermore, former Mai-Mai Charles combatants stated that they taxed farmers between 1,000 and 5,000 Congolese francs for passage to their lands, as well as a percentage of their harvests in kind.

72. The Group investigated NDC-R taxing people in gold mining areas under their control. The jetons obtained by the Group showed a superior level of organization compared with other armed groups (see annex 9).

D. Challenges in implementing the financial sanctions

73. In its previous report (see S/2017/762/Rev.1, para. 8), the Group observed a general lack of proper communication and procedures concerning United Nations sanctions, in particular from the central bank and national bank regulator, the Banque centrale du Congo, in its dealings with local banking institutions.

74. The Group found that no legislation existed in the Democratic Republic of the Congo requesting bank customers to provide proof of origin of the funds used in financial transactions and that the existing legislation, which limits unregistered cash transactions to $10,000, was not implemented. Those two factors prevent the national regulator and the banking system from verifying whether cash transactions emanate from the assets of individuals and entities under United Nations sanctions. That lack of control is further aggravated by the fact that only 20 per cent of financial transactions in the Democratic Republic of the Congo are channelled through the official banking system, which enables the circulation of large amounts of unrecorded cash in Congolese francs and United States dollars.

75. The Association congolaise des banques (Congolese Banking Association) informed the Group that banks in the Democratic Republic of the Congo relied almost

exclusively on the sanctions list issued by the Office of Foreign Assets Control of the United States of America, and not on the Consolidated United Nations Security Council Sanctions List[5] for the names of sanctioned individuals and entities. The Group stresses that, while the Office of Foreign Assets Control list includes individuals and entities sanctioned by the United Nations, the burden of implementation rests on instructions received from the national regulator.[6]

IV. Serious violations of international humanitarian law and human rights

A. Conflict-related sexual violence in Tanganyika

76. The Group investigated the commission of acts of sexual violence related to the resurgence of the conflict between Twa and Bantu communities in Tanganyika Province. The Group found that Twa and Bantu militias committed gang rapes, which is a component of the conflict. Acts of sexual violence also included instances of sexual slavery by Twa militias. Gang rapes and sexual slavery are sanctionable acts under paragraph 2 of resolution 2360 (2017).

Resurgence and context of the conflict

77. Since mid-July 2016, the conflict between Twa and Bantu communities has continued with violence rapidly spreading to most of Tanganyika Province. As in other areas of the Democratic Republic of the Congo, civilians bear the brunt of the violence, with many serious human rights violations being committed. The conflict caused massive internal displacement of civilians within the province. According to the Office for the Coordination of Humanitarian Affairs, in October 2017, 557,000 persons were internally displaced inside Tanganyika,[7] approximately 20 per cent of the estimated overall population. This displacement has led to an acute humanitarian crisis. The long-standing marginalization and discrimination suffered by the Twa community (see S/2015/19, annex 33) remain valid.

Sexual violence as a component of the conflict

78. Several sources, including victims of rapes, told the Group that both Twa and Bantu militias had gang-raped women and girls of all ages belonging to, or perceived to be part of, the other community. The Group also uncovered cases of Twa militias using members of the Bantu community as sexual slaves and gang-raping men. The gang rapes had taken place in various locations of Tanganyika Province since at least September 2016 and, for most victims interviewed by the Group, in Kalemie territory between November 2016 and August 2017.

79. Most victims were unable to identify their assailants beyond specifying the communities that they belonged to. For that reason, but also because of time, security and logistical constraints affecting the Group's investigations as well as the very nature of those militias, the Group could not establish the identity of the perpetrators. While some names of community leaders have surfaced, the evidence is insufficient

[5] See www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list. The Consolidated United Nations Security Council Sanctions List includes the names of all individuals and entities subject to sanction measures imposed by the Security Council, including those in the Democratic Republic of the Congo list, the ISIL (Da'esh) and Al-Qaida Sanctions list and other lists.

[6] See www.treasury.gov/resource-center/faqs/Sanctions/Pages/faq_compliance.aspx#start.

[7] *Note d'informations humanitaires* of the Office for the Coordination of Humanitarian Affairs, 3 October 2017, available from www.humanitarianresponse.info/system/files/documents/files/ocha_tanganyika_note_informations_humanitaires_03102017.pdf.

to link them to the rapes. Bantu militias are usually known as "elements", and Twa militias as "perci", an abbreviation of "personnel civil" (civilian personnel). Those groups use weapons such as arrows and bows, machetes, knives and axes. They also practice spiritual rituals that they claim make them invincible. The evidence gathered suggests that those militias do not have a unified structure, but rather that militiamen from each side operate in separate groups. Several sources informed the Group of alliances of such separate groups from different areas in Tanganyika Province during attacks, as well as of some forms of coordination and organization already existing within the militias. The Group can therefore not exclude that those militias may become more structured and escalate violence further.

80. The Group found that the rapes usually followed a pattern of women being trapped and gang-raped by militiamen. Thirteen women interviewed by the Group had each been raped by two to six militiamen. The Group was informed that other women had been raped by as many as 15 men. Several raped women witnessed the gang rapes of other women who were with them. One of the victims witnessed the rape of her mother by six militiamen, and another the rape of her daughters aged 11 and 14 by three militiamen. Gang rapes typically took place during attacks on villages by militiamen or while the women were busy with their daily activities, such as working in the fields. The people who committed those gang rapes targeted women, including pregnant women, of all ages, as most were 15 to 55 years of age. Girls as young as 3, 7, 11 and 14 have also been sexually assaulted.

81. Militiamen targeted women because they belonged or were perceived to belong to another community. Victims therefore originate from both the Bantu and the Twa communities, but also from other communities living and assimilated with the targeted community. The evidence gathered showed that the majority of the identified rape victims belonged or were perceived to belong to the Bantu community. However, the Group cannot exclude underreporting from Twa women, owing notably to the discrimination that they are subjected to, which results in limited access to social and health services.

82. Twa militias have also gang-raped men, though not on the same scale as Bantu women. For instance, the Group interviewed a 55-year-old Twa man who had been raped by two Twa militiamen for refusing to join them in the fight against Bantu militias. A source also informed the Group that Twa militiamen had gang-raped Bantu men because the Bantu women had managed to escape.

83. In some cases, Twa militiamen have kidnapped and used members of the Bantu community as sexual slaves and for work during several months. For instance, the Group interviewed two Bantu girls, one 15 years of age, who had been kidnapped together with three other Bantu girls by Twa militiamen following an attack on their village and who had been used as sexual slaves for about five months.

84. The Group is aware that the prosecutorial and judicial authorities of Tanganyika Province have initiated investigations into several of those conflict-related gang-rape cases, including for crimes against humanity when said authorities had considered that the constitutive elements of such crimes were met. The Group welcomes those investigations and will follow up on their outcomes.

B. Update on the investigation into the murder of two members of the Group of Experts

85. Since its previous report (see S/2017/672/Rev.1, paras. 171–173), the Group has continued to monitor the investigation into the murder on 12 March 2017 of Zaida Catalán and Michael Sharp, two members of the Group of Experts.

86. The Group welcomes the appointment of a United Nations team of experts mandated to assist the ongoing investigations and trial in the Democratic Republic of the Congo, in connection with the Secretary-General's letter dated 15 August 2017 transmitting the executive summary of the report of the Board of Inquiry to the President of the Security Council (S/2017/713). In his letter, the Secretary-General expressed his intention to discuss with officials of the Democratic Republic of the Congo and consult with Council members regarding the establishment of a follow-on mechanism and its mandate. The Group also welcomes the Secretary-General's remarks in his letter dated 31 October 2017 to the President of the Security Council that the Senior Official appointed to lead the mechanism would report to the Secretary-General on a regular basis (S/2017/917).

87. A source involved in the investigation told the Group that six remaining suspects of the eight who had been identified on the video recording of the murder remained at large, even though they could be arrested.

88. An investigative report by an international press outlet[10] revealed an audiotape dated 11 March 2017 that the Group had retrieved and reviewed in March 2017 (see S/2017/672/Rev.1, para. 169). As reported by the press, the Group shares the view expressed in the investigative report that the interpreter had deliberately misled the two experts on the security situation in Bunkonde. This suggests that the murder was planned.

V. Arms and ammunition

89. The Group investigated instances of arms embargo violations during the reporting period. It focused on arms transfer networks from neighbouring countries to armed groups in the Ruzizi Plain. The Group also focused on the diversion of weapons and ammunition from the FARDC stock to armed groups. The Group's preliminary findings revealed that the transfer of weapons and ammunition as well as diversions to armed groups active in the Democratic Republic of the Congo continued in violations of the arms embargo.

A. Update on arms trafficking networks in the Ruzizi Plain

90. The Group followed up on its previous investigations into the transfer of weapons and ammunition in the Ruzizi Plain (see S/2017/672/Rev.1, paras. 152 and 153).

91. Witnesses informed the Group that, in early September 2017, four bags containing two AK-47-type rifles each, disassembled among cassava plants, had been delivered to Mai-Mai Bigaya. Three bags and three medium-sized boxes of ammunition had also been delivered towards the end of the same month. Between 14 and 16 October 2017, Mai-Mai Bigaya received one PKM machine gun, 25 AK-47-type rifles and 15,000 rounds of ammunition at Rukobero, near Sange, Uvira territory.

92. Several sources alleged that those weapons and ammunition had been brought from Burundi via the Ruzizi River. They also informed the Group that the arms transfer network was renewing itself with some new actors. In its previous report, the Group had identified an individual named Manassé Hakizimana as one of the leaders of the network (see S/2017/672/Rev.1, para. 152) The Group received confirmation that, following the death of Mr. Hakizimana in March 2017, Ndayizeye Jean de Dieu,

[10] www.rfi.fr/afrique/20170913-experts-onu-tues-rdc-enregistrement-suggere-piste-guet-apens.

also known as Jadeau or Jadot (ibid., para. 153), had taken on the leading role in the arms trafficking networks between Burundi and the Ruzizi Plain.

93. In response to a request from the Group, the Government of Burundi denied that members of the Forces de défense nationale (FDN), the Burundian national army, were involved in sending arms to the Democratic Republic of the Congo. The Government also denied involvement of FDN troops in cross-border attacks on anti-Burundian government forces active in the Ruzizi Plain. The Government informed the Group that Burundian armed groups active in the Democratic Republic of the Congo included the Forces Nationales de Libération (FNL)-Nzabampema and renegade soldiers who had deserted the national army and wore FDN uniforms to create confusion.

94. The Group will continue its investigations and present its findings to the Committee in its final report.

B. Looting of weapons and ammunition from the Forces armées de la République démocratique du Congo in Bendera

95. The Group gathered information that, on 1 June 2017, a group of Mai-Mai Yakutumba elements attacked the Forces armées de la République démocratique du Congo (FARDC) base in Bendera, north of Tanganyika Province, and looted the armoury. One witness who had been forced to transport looted materiel told the Group that, early in the morning of that day, close to 80 Mai-Mai Yakutumba elements had attacked the camp and abducted local residents. The attackers had then forced him and others to carry the looted weapons and ammunition, including eight mortars, six PKM machine guns, a large number of rocket-propelled grenades, 22 boxes of ammunition and close to 40 AK-47-type rifles to the shores of Tinbie River, around 2 km from Bendera.

96. Most of the Mai-Mai Yakutumba elements were armed with AK-47-type rifles, two were carrying RPG-7s and two had PKM machine guns and a lot of ammunition. After the attack, the Mai-Mai Yakutumba assailants left the Bendera base at around 6 a.m. with their abductees and looted military materiel. They subsequently met with another group of abductees coming from South Kivu, bringing the total of those carrying weapons and ammunition to almost a hundred.

97. Recurrent attacks on FARDC positions to loot weapons and ammunition form part of a pattern by armed groups to acquire and increase their military capacity. The Group had previously observed and reported on the poor conditions of the armouries and storage facilities across the Democratic Republic of the Congo (see S/2016/1102, para. 115). Such conditions make the armouries vulnerable to attacks by armed groups for the purpose of seizing weapons and ammunitions. The Group believes that recurrent attacks on FARDC storage facilities to loot weapons and ammunitions warrant further investigation.

C. Diversion of weapons from national security forces

98. The Group consulted the military court registry and identified 13 cases related to the sales of weapons and ammunition by national security forces to armed groups that were pending before the court in North Kivu in 2017. A senior FARDC officer told the Group that this number was far below the trends that he had observed within the national security forces.

99. The Group interviewed Baraka Simandugu, a Congolese police officer who had sold an AK-47 assault rifle and ammunition to a Nyatura Domi element in the Mugote

refugee camp on 11 September 2017. Mr. Simandugu told the Group that he had been sent by FARDC Colonel Magellan to deliver an AK-47 assault rifle with ammunition to an individual in Kitchanga. In exchange for the weapon, Mr. Simandugu had received 80,000 Congolese francs. He had returned the money to Colonel Magellan who had paid him a commission of 20,000 Congolese francs. Other witnesses identified the buyer as Major Jovani, a member of Nyatura Domi.

VI. Recommendations

100. The Group makes the recommendations set out below.

Government of the Democratic Republic of the Congo

101. The Group recommends that the Government of the Democratic Republic of the Congo:

(a) Inform international buyers of the International Conference on the Great Lakes Region export certificates stolen from its national stock, which may have been or could be used to export gold illegally (see paras. 50–54 above);

(b) Establish a proof of origin system for all financial transactions, including deposit, withdrawal and wire transfer, above $10,000 in the Democratic Republic of the Congo (see para. 74 above);

(c) Ensure that banks operating in the Democratic Republic of the Congo enforce the asset freeze imposed by the Committee on 31 individuals and nine entities (see para. 75 above);

(d) Investigate direct and indirect perpetrators of conflict-related sexual violence in Tanganyika Province, their support networks and motivations, and prosecute them (see paras. 78–84 above);

(e) Improve the security of FARDC armouries in accordance with international standards (see paras. 95–97 above).

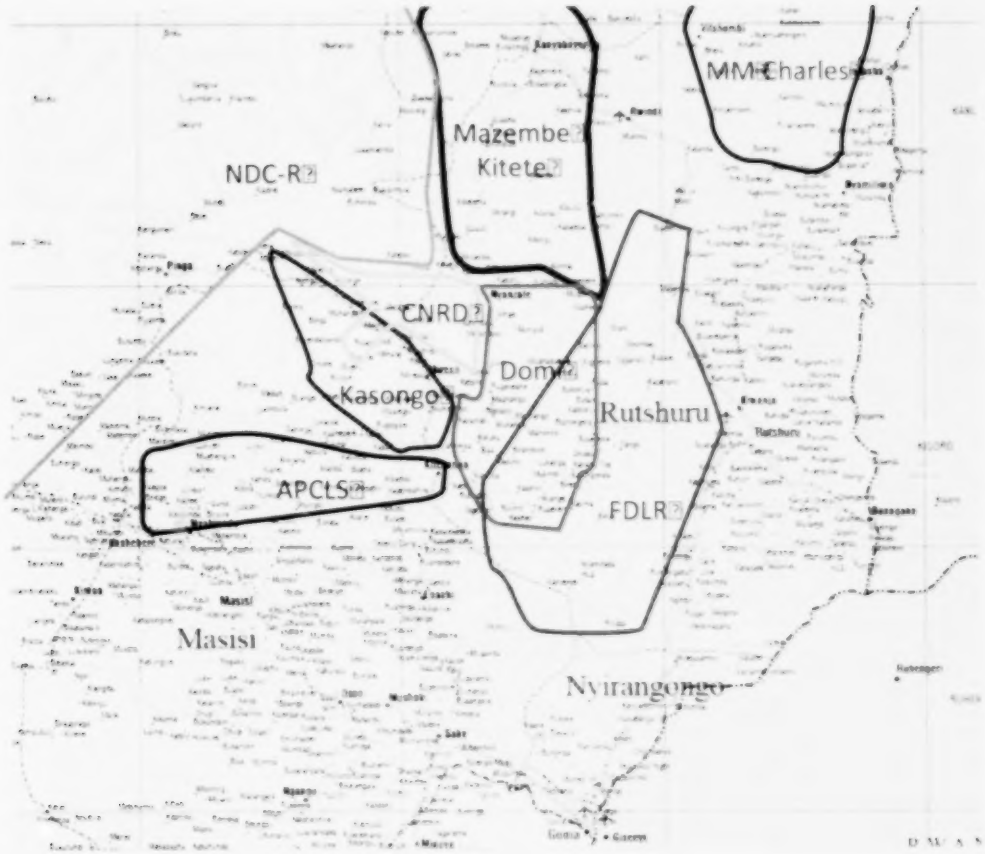
Member States of the International Conference on the Great Lakes Region and the United Arab Emirates

102. The Group recommends that the member States of the International Conference on the Great Lakes Region and the United Arab Emirates address the Group's proposals to combat gold smuggling from the International Conference on the Great Lakes Region to Dubai and inform the Committee accordingly (see paras. 59–62 above).

Annexes

Annex 1: Major armed groups in the *Petit Nord*

The map below indicates zones of influence (not necessarily in full or constant control) of the eight strongest armed groups in northern Masisi, Rutshuru and Walikale territories: FDLR, CNRD, *Alliance des patriotes pour un Congo libre et souverain* (APCLS), Nyatura Kasongo, Nyatura Domi, Mai Mai Mazembe Kitete, Mai Mai Charles and NDC-R in October 2017.



(Map by the United Nations, as edited by the Group of Experts)

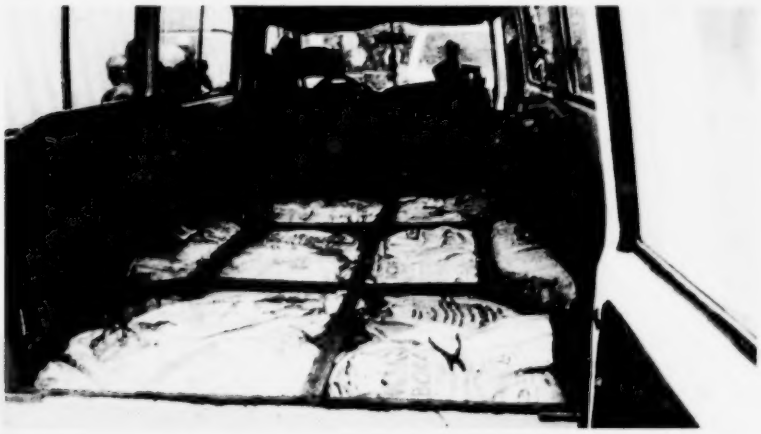
Annex 2: *Collectif des mouvements pour le changement* (CMC)

The Collectif des mouvements pour le changement (CMC) promotes itself as a political movement that aims to unite armed groups in North and South Kivu. Its objectives are to force President Joseph Kabila to stand down and reduce what it perceives as Rwandan influence in the eastern part of the Democratic Republic of the Congo. The president of the movement is Athanase Murundura, also known as Baobab, who allegedly resides in a neighbouring country. The spokesperson of the group is Jean-Claude Habyarimana Mbitse, also known as Jules Mulumba, who is located in the vicinity of Mweso, likely under the protection of Nyatura Kasongo.

CMC members claim to have already united several armed groups. Nyatura Domi, Nyatura Kasongo and the APCLS are the most important alleged CMC allies in North Kivu, and negotiations with Nyatura Kavumbi are said to be ongoing. In South Kivu, several Raia Mutomboki factions are reportedly part of the CMC also. The armed wing of CMC is called *Forces de Défense du Peuple* (FDP), but there have been no reported attacks attributed to the FDP so far. Most of the affiliated armed groups still operate under their own group name.

In July 2017, 13 CMC members were arrested in Bujumbura on an alleged mission seeking support from Burundian officials. However, Burundian security services arrested and transferred them to the Congolese authorities. They are in custody in Kinshasa.

Annex 3: Attempted smuggling of 580 Kg of coltan in Sake

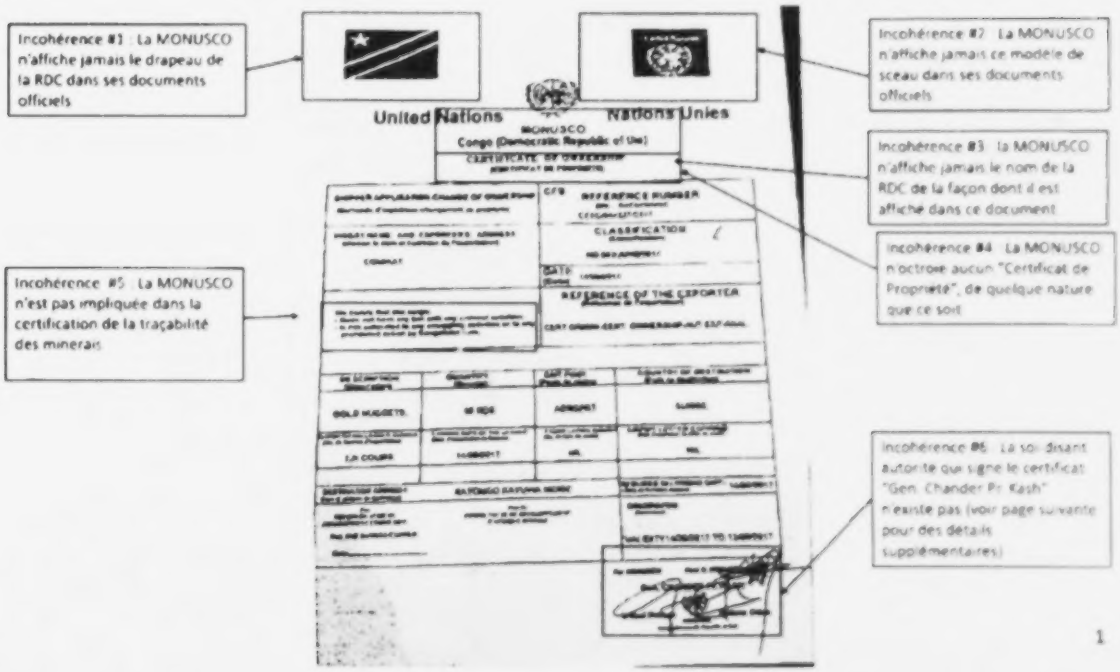


The Group obtained the photos from a source in August 2017

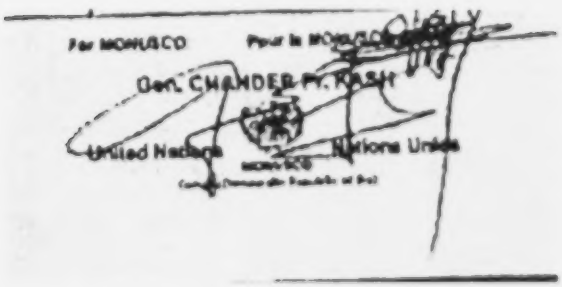
Annex 4: Bags used to officially transport minerals from Rubaya

Photo by the Group in October 2017

Annex 5: Reply from MONUSCO to the allegation of gold smuggling by its staff

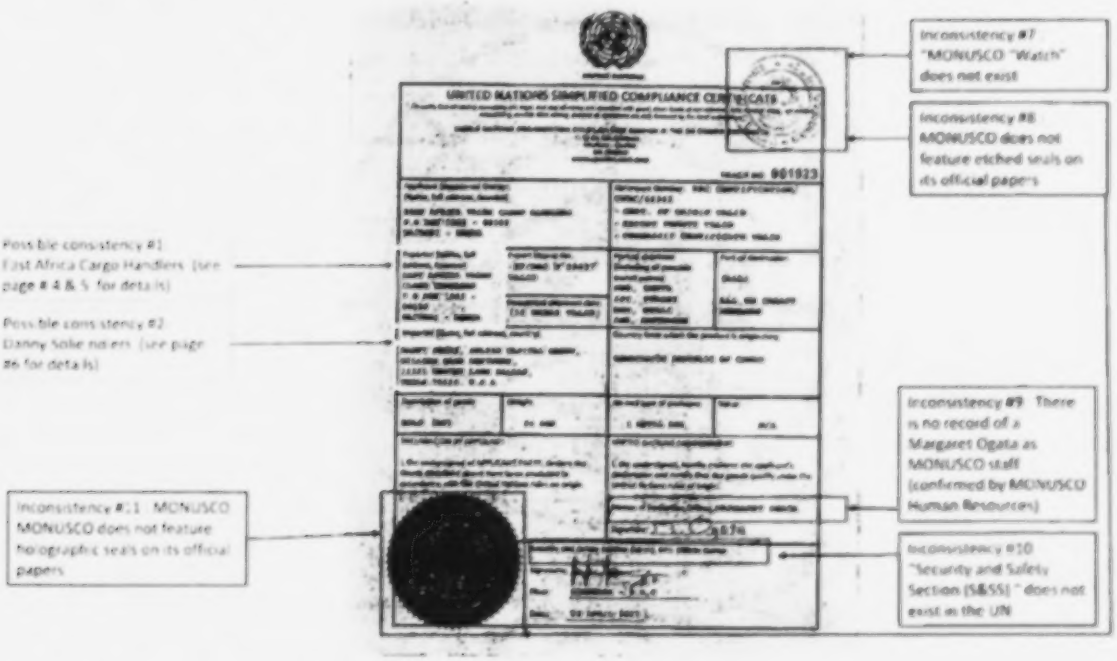

Incohérence #1 : La MONUSCO n'affiche jamais le drapeau de la RDC dans ses documents officiels
Incohérence #2 : La MONUSCO n'affiche jamais ce modèle de sceau dans ses documents officiels
United Nations
Nations Unies
MONUSCO
Congo (Democratic Republic of the)
Incohérence #3 : la MONUSCO n'affiche jamais le nom de la RDC de la façon dont il est affiché dans ce document
Incohérence #4 : La MONUSCO n'octroie aucun "Certificat de Propriété", de quelque nature que ce soit
Incohérence #5 : La MONUSCO n'est pas impliquée dans la certification de la traçabilité des minerais
Incohérence #6 : La soi-disant autorité qui signe le certificat "Gen. Chander Pr. Kash" n'existe pas (voir page suivante pour des détails supplémentaires)
1

Le document sous examen est visiblement un faux. Il contient une signature attribuée à un certain "Gen. Chander Pr. Kash", et aurait été signé le 14 Juin 2017.
Il sied de signaler la similarité de ce nom, avec celui de l'ancien Commandant de la Force de la MONUSCO, le Lieutenant General Chander Prakash (qui a exercé cette fonction entre 2010 et 2013).



Echantillon de la signature du faux document, prétendument signé par l'autorité de la MONUSCO "Gen. Chander Pr. Kash" le 14 juin

Echantillon de la signature authentique du Lieutenant General Chander Prakash, MONUSCO, Commandant de la Force de la MONUSCO pour la période 2010-2013

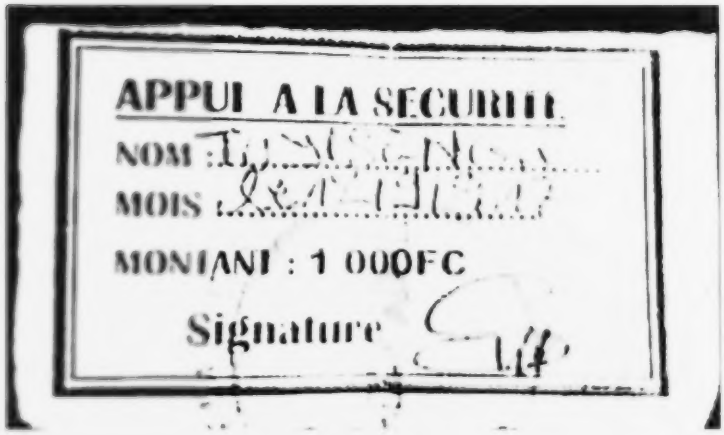

Inconsistency #7
"MONUSCO "Watch"
does not exist
Inconsistency #8
MONUSCO does not
feature etched seals on
its official papers
UNITED NATIONS SIMPLIFIED COMPLIANCE CERTIFICATE
001923
Possible consistency #1
East Africa Cargo Handlers (see
page # 4 & 5 for details)
Possible consistency #2
Danny Sole nsers (see page
#6 for details)
Inconsistency #9 There
is no record of a
Margaret Ogata as
MONUSCO staff
(confirmed by MONUSCO
Human Resources)
Inconsistency #11 MONUSCO
MONUSCO does not feature
holographic seals on its official
papers
Inconsistency #10
"Security and Safety
Section (S&SS) " does not
exist as the UN

Annex 6: Tokens (*jetons*) provided by armed groups as proof of payment of illegal taxes

(collected by the Group between September and October 2017)

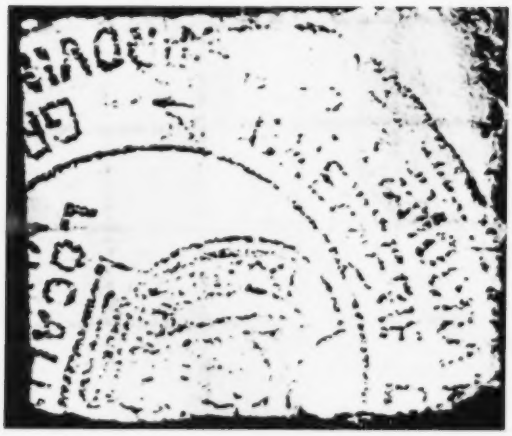
Nyatura Kasongo *jeton*

Nyatura John Love *jeton*



Nyatura Domi *jeton*

Mai Mai Mazembe *jeton*



Mr. Gedeon Kasereka in Butolera is the Mai Mai Mazembe Kitete element in charge of producing the *jetons*: 40 *jetons* are cut from each page of a normal notebook, rubber-stamped and then distributed to the tax collectors.

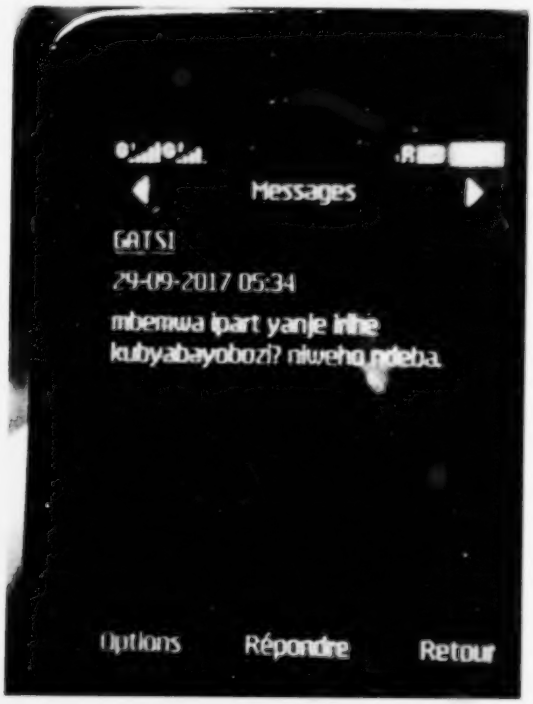
NDC-R *jeton* delivered to Miriki in July 2017

In July and September 2017, Mai Mai Mazembe Kitete temporary lost control of Miriki to NDC-R. As a consequence, the population in Miriki had to pay taxes twice, first to Mai Mai Mazembe Kitete and subsequently to NDC-R.

NDC-R commander *Tondeuse* planned to collect taxes from the population on 15 October 2017, but this was foiled by the intervention of MONUSCO which deployed IndBatt from Kanyabayonga to Miriki on 13 October 2017.

Mai Mai Charles *jeton* to illegal fishermen on Lake Edward

Annex 7: Text message sent by a Nyatura leader to coerce an individual not affiliated with the armed group to collect taxes on his behalf

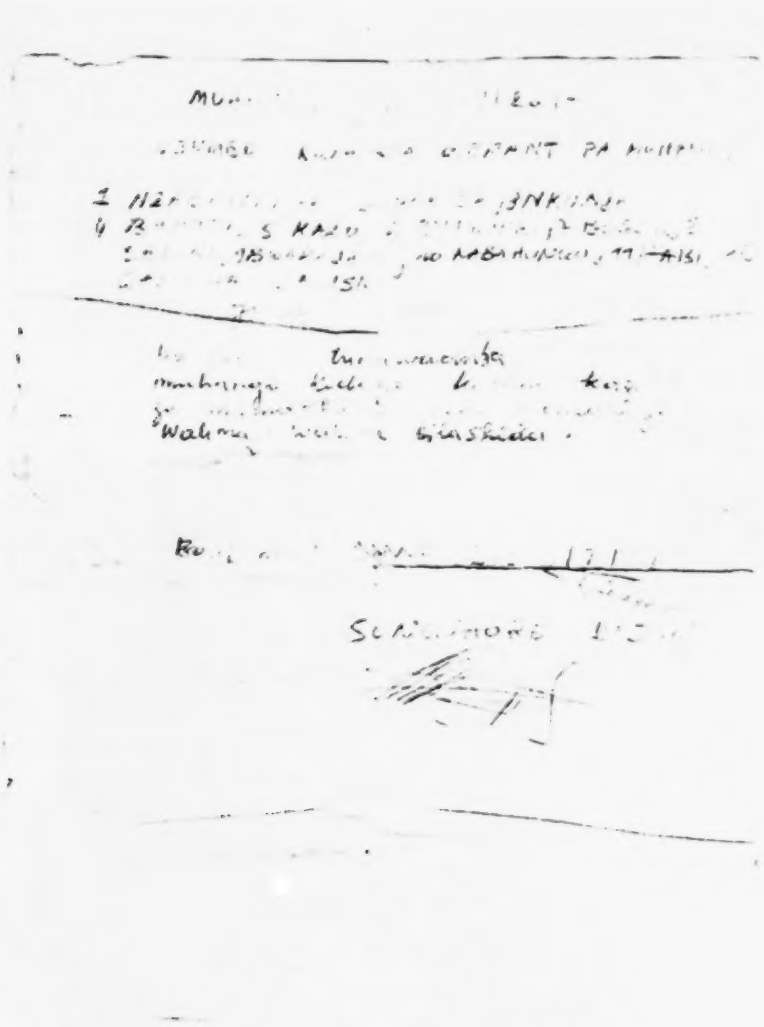


Translation: Have you got the parts [taxation money]? I'm counting on you

Photo taken and translation (Swahili to English) by the Group of Experts

Annex 8: Written request by Nyatura Ntibi demanding money to landowners from Muhanga

Document sent by Muhanga village chief denouncing displacement and destruction of fields by armed groups and to which the request signed by armed group leader Ntibi was attached



RE PUBLIQUE DE MOCRATIQUE DU CONGO

CHEFFERIE DES BASHALI
GROUPEMENT DES BAMUKOTO
VILLAGE MUHANGA

Route Muhanga-Kitshanga, le 25/09/2017

N° 5072/005/VILL-MUH/2017

Transmis copie pour information à :

- Monsieur le Chef de la Chefferie des BASHALI à ***KITSHANGA***
- Monsieur le Président de la Société Civile de la Chefferie des BASHALI à ***KITSHANGA***
- Monsieur le Chef de Village KITSHANGA à ***KITSHANGA***

567/N.51
03-10-2017

Objet **Statistique de la population Deplacée de Village MUHANGA à KITSHANGA**

A Monsieur le Chef de Groupement des BAMUKOTO à ***KITSHANGA***

Monsieur le Chef de Groupement.

Par la présente, j'ai l'honneur de vous transmettre en annexe de la présente la statistique de la population déplacée de Village MUHANGA à KITSHANGA, pendant les affrontements entre les groupes armés NYATURA (groupe de securité et l'APCLS.

Je n'oublie pas de vous informer que cette population déplacée est aussi victime de destruction méchante des plantes surtout vivrières, pillage des récoltes, demolition des maisons d'habitation, Bureaux, Écoles ainsi que privation au libre circulation et exploitation de leurs champs. Voir note de témoignage en annexe aussi.

Je vous en souhaite bonne réception.

Le Chef de Village MUHANGA

BALUME LUBANGO

STATISTIQUE DE LA POPULATION DÉPLACÉE DE

VILLAGE MUHANGA à KITSHANGA

1) Colline MUHANGA	: 304 ménages
2) Colline KITOBO	: 217 ménages
3) Colline LUBULA	: 158 ménages
4) Colline KAUTU/RUKENGE	: 136 ménages
5) Colline MUTANGA	: 173 ménages
6) Colline BUXOHA	: 116 ménages
7) Colline NGINGWE	: 341 ménages
8) Colline BUCHALWICHI	: 159 ménages
9) Colline NGIRANGANO	: 63 ménages
	: 1 667 ménages

VILLAGE LUPFUNDA

1) Colline KYEKIRE	: 161 ménages
2) Colline KIUSHA	: 48 ménages
	: 209 ménages

Total : 1 667 + 209	*: 1 876 ménages*

Annex 9: NDC-R *jetons* and rubber stamps seized on Mr. Mudekereza

On 21 September 2017, the *Agence Nationale de Renseignements* in Kitumba arrested Mr. Mudekereza Bisimwa Robert, an alleged NDC-R element, and found on him 1,500 *jetons* for the month of September 2017 and two rubber stamps, one with the logo and title of NDC-R and one with the name of a certain 'Col' Deo Bafosse 'Chief of staff'. Mr. Mudekereza informed the Group that NDC-R intended to use these *jetons* — each with a face value of 5,000 Congolese Francs — in one of the mining areas under the armed group's control in Oninga, west of Kitumba in Walikale territory. Compared to other *jetons* the Group reviewed, the NDC-R *jetons* show professional editing and printing, which appear to confirm the group's better organization. The Group is continuing to gather elements on NDC-R activities in the mining and trade of gold in areas under its control in Walikale territory.

Rubber stamps with NDC-R logo and mention of "Col Deo Bafosse"

Electoral card of Mudekereza Bisimwa Robert

One of the 10 sheets where NDC-R *jetons* were printed